

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yousseff

Serial No.: 09/276,021

Filed: March 25, 1999

For: RAPID TRAINING ECHO
CANCELLOR FOR
TELECOMMUNICATIONS
SYSTEM

Docket No.: 42390.P8950

Petitions Attorney: Brown, Alesia M.

Art Unit: 2614

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 C.F.R. § 1.47(b)

Dear Petitions Attorney:

Presented herein is a request for reconsideration of petition under 37 C.F.R. § 1.47(b) in response to the decision mailed January 03, 2008 dismissing Petitioner's renewed petition under 37 C.F.R. § 1.47(b) filed December 07, 2007.

Petitioner respectfully requests that the Patent and Trademark Office ("PTO") consider the following remarks in regard to the above-referenced patent application.

I hereby certify that this correspondence is being deposited via
EFS Web on the date below:

January 15, 2008

Date of Deposit

/Gregory D. Caldwell/
Gregory D. Caldwell, Reg. No. 39,926

REMARKS

Dismissal of Petition under 37 C.F.R. § 1.47(b)

The PTO dismissed Petitioner's petition under 37 C.F.R. § 1.47(b) because it fails to provide "an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116." More particularly, the decision states that "Mr. Caldwell's authorization to prosecute the application is ... not in question," but further states that "Mr. Caldwell, however, did not execute the declaration." The declaration was instead executed by Mr. David Simon, Chief Patent Counsel for Intel Corporation. The decision states that "[i]t does not appear that Mr. Simon is a corporate officer (President, Vice-President, Secretary, Treasurer, or Chief Executive Officer)," and that there "does not appear to be anything in the record that establishes that the assignee has authorized Mr. Simon to sign the declaration on its behalf."

Petitioner respectfully submits concurrently herewith both a declaration under 37 C.F.R. § 1.63 executed by Mr. Caldwell on behalf of the Assignee as an Attorney of record for the Applicant, and a "Statement Under 37 CFR § 3.73(b)" stating that Gregory D. Caldwell, Reg. No. 39,926, is an attorney for Applicant, and is "authorized to act on behalf of the assignee." Please refer to Exhibits "A" and "B" respectively. Petitioner respectfully submits that these documents, executed by an Attorney of record on behalf of the Assignee, satisfy the PTO's request for "an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116."

Accordingly, Petitioner respectfully submits that the PTO's objections to the renewed petition under 37 C.F.R. § 1.147(b) have been overcome based on Exhibits A and B submitted concurrently herewith, and respectfully requests that the PTO grant the renewed petition under 37 C.F.R. § 1.47(b).

CONCLUSION

Given the above statements and accompanying documents, Petitioner respectfully requests that the PTO grant the requested action. If there are any informalities or questions that can be addressed via telephone, the Petitions Attorney is encouraged to contact the undersigned attorney at (503) 439-8778.


Charge Deposit Account

Please charge our Deposit Account No. 02-2666 for any additional fee(s) that may be due in this matter, and please credit the same deposit account for any overpayment.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: January 15, 2008



Gregory D. Caldwell
Registration No. 39,926
Attorney for Petitioner

Blakely, Sokoloff, Taylor & Zafman LLP
1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
Telephone: (503) 439-8778
Facsimile: (503) 439-6073

Exhibit

A

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

Declaration
Submitted
With Initial
Filing

OR

Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (f))
required)Attorney Docket
Number

42P8950

First Named Inventor

Yousseff, Khalid

COMPLETE IF KNOWN

Application Number

09/276,021

Filing Date

March 25, 1999

Art Unit

2614

Petitions Atty

Brown, Alesia M.

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

RAPID TRAINING ECHO CANCELLOR FOR TELECOMMUNICATIONS SYSTEM

(Title of the Invention)

the specification of which



is attached hereto

OR



was filed on (MM/DD/YYYY)

March 25, 1999

as United States Application Number or PCT International

Application Number

09/276,021

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

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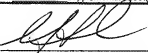
This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance completing the form, call 1-800-PTO-9199 and select option 2.

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: <input checked="" type="checkbox"/> The address associated with Customer Number: 45209		OR <input type="checkbox"/> Correspondence address below	
Name			
Address			
City		State	ZIP
Country	Telephone		Email
WARNING:			
<p>Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.</p>			
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Khalid		Yousseff	
Inventor's Signature			Date
Residence: City	State	Country	Citizenship
Jersey City	NJ	US	US
Mailing Address			
224 Lembeck Avenue, Apt. #2			
City	State	Zip	Country
Jersey City	NJ	07305	US
<input type="checkbox"/> Additional inventors or a legal representative are being named on the supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.			

Date: 1/15/07
 By: 
 Gregory D. Caldwell
 Reg. #39,926
 Attorney for Applicant

Exhibit

B

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Khalid YousseffApplication No./Patent No.: 09/276,021 Filed/Issue Date: March 25, 1999Entitled: RAPID TRAINING ECHO CANCELLOR FOR TELECOMMUNICATIONS SYSTEMIntel Corporation, a Delaware corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

- A ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:


1. From: Khalid Yousseff To: Dialogic Corporation
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: Dialogic Corporation To: Intel Corporation
The document was recorded in the United States Patent and Trademark Office at
Reel 013789, Frame 0743, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

	_____ January 15, 2008
Signature	Date
_____ Gregory D. Caldwell, Reg. No. 39,926	_____ (503) 439-8778
Printed or Typed Name	Telephone Number
_____ Attorney for Applicant	
Title	

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.